IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1218 OF 2007

Javed Abdul Gaffar Ustad & Ors. .. Petitioners

Versus

Smt.Minakshi Ratilal Gandhi & Ors..Respondents

Mr.A.N.Maniyar for petitioners

Mr.Pankaj Das for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 6th December 2007

P.C.

. After the matter was heard for some time, Mr.Maniyar learned Advocate appearing for petitioner seeks leave to withdraw the application filed on 10th January 2007 by the

petitioner before the Trial Court for impleading themselves as party defendants to the suit in place of deceased defendant No.9, with liberty to file proper application setting out all details and particulars.

2. Leave granted. Application is allowed to be withdrawn with liberty as above. In the light of the withdrawal of the application before the trial court, nothing survives in the petition and the same is dismissed accordingly. Since petition itself is dismissed the civil application also accordingly stands dismissed. Ad-interim orders, if any, to stand vacated forthwith. No costs. All contentions of both sides are expressly kept open.

(S.C.Dharmadhikari, J)